

**Q4. How does the NPL listing process work?**

Based on federal law, EPA has established a process to evaluate releases of hazardous substances from a site and, if appropriate, add it to the “Superfund” National Priorities List (NPL). In its simplest form the process involves collecting information and environmental data and evaluating that data using the Hazard Ranking System (HRS). The HRS is a numerically based screening tool that scores the relative threat to human health and the environment posed by contamination. A site’s score can range between 0 and 100 and sites with a score of 28.5 or greater are eligible for proposal to the NPL.

EPA generally requests support for NPL listing from the affected State or Tribe prior to proposal. Then the site is proposed for the NPL through a Notice of Rulemaking where all relevant documentation, including the HRS report, is published in the Federal Register. This is followed by a 60-day public comment period. EPA then evaluates and responds to all comments and makes a final determination whether to list the site on the NPL.

**What information is going to be used to determine if the site should be on the NPL?**

The data included in an HRS report describes the sources of contamination and depends on available information and stakeholder input defining the goals of a desired clean up.

**Can you give a precise date and timeline for developing a report based on collected data that shows our eligibility for the NPL?**

Although EPA prepared a draft HRS report for Cement Creek in 2009, significant new environmental data has been collected since then that needs to be considered. EPA has not initiated a new HRS report but estimates it would take 3-6 months to complete once initiated, followed by the rulemaking process described above.

**Q5. How is the public involved in the listing process?**

EPA is committed to work in concert with the Colorado Department of Public Health and the Environment in answering questions about the potential for a NPL listing of Upper Animas Mining District sites and listening to the concerns of members of the local and tribal public and elected officials. These questions and concerns will shape any decision to initiate an NPL listing process. EPA generally seeks to the formal support of the Governor of the affected state and the government of affected tribes.

**How is the public involved in the entire Superfund process? (R8 will draft)**

Public involvement is an essential and well-developed, formal component of the Superfund process. EPA has a series of publications on this topic, including a detailed *Superfund Community Involvement Handbook*. EPA assigns public involvement specialists to Superfund sites. Cynthia Peterson is EPA’s public involvement specialist (Community Involvement Coordinator) in the Upper Animas Mining District and she is available to provide a copy of the *Handbook* along with a personal meeting to explain the process in detail.

**Q6. How would the site boundaries be determined? What are they likely to be? What is the process?**

The geographic scope of a NPL site is defined generally by the known contamination sources and this scope is proposed in the Notice of Rulemaking and is subject to public comment. The EPA has flexibility to include contamination sources of most concern. In the case of a potential site in the Upper Animas, EPA and CDPHE would expect to propose a geographic scope based on available information and stakeholder input. Also, the site scope can be limited to sources impacting the Animas River and would not need to include former smelter sites within Silverton or encompass the entire Upper Animas Mining District.

**Q8. Once a site is placed on the NPL, how soon would work begin?**

The first step following NPL listing is the development of, followed by the implementation of, a plan for a detailed, comprehensive investigation into the contamination sources (called a Remedial Investigation) followed by the development of feasible cleanup alternatives (called a Feasibility Study). Much of this investigation work is well along through efforts of EPA, BLM, USFS and the stakeholder group. EPA would work with the communities and stakeholders and look carefully at this existing information in determining the additional investigation needed. EPA takes public input on a final cleanup plan (called the Remedy). Once a Remedy is selected, it is designed and the cleanup work begins. Community involvement, interim actions (such as, mine portal stabilizations and bulkhead installations), and potential enforcement actions occur throughout the entire process.

**Q10. How long have other sites been on the NPL and given the history of our site, how long do you expect we will remain on the list?**

**Suggested revisions: Refocus on first construction project. Many sites have multiple projects. Mathy wants focus on major milestones of clean up such a beginning construction and constion completion rather than just final delisting.**

Previous answer: On average, it has taken approximately 15 years from NPL listing to site deletion from the NPL for hardrock mining and mineral processing sites. This estimate is variable based on site-specific conditions. It is noted that most of the deleted sites are mineral processing sites which require physical construction including excavation and disposal or containment remedies. For mining sites, including the Upper Animas there may be a requirement for long-term water treatment, which could lengthen the period of time that a site remains on the NPL.

**Q12. Is all the data collected in the County available for community review?**

A12. Data collected on the Animas River as part of the response to Gold King Mine release are available on the EPA Gold King Mine website at: <http://www2.epa.gov/goldkingmine/data-gold-king-mine-response>. Data collected at individual properties are being provided to property owners, including private well sampling data. Data collected as part of EPA's pre-Gold King

Mine incident are available under “Site Documents” “Investigations” at:  
<http://www2.epa.gov/region8/upper-animas-mining-district>.

**Q13. How many cleanup personnel will be working in San Juan County next year? When will they come and for how long?**

A14 As of September 28, 33 EPA and Coast Guard personnel and contractors were working at the mine site and 29 EPA personnel and contractors were working at the Incident Command Post in Durango. Over the next 12 months EPA anticipates scaling down dramatically the number of contractors in the Silverton-Durango region, but having a scaled-down, continued local presence supporting work at the mine site operating the temporary water treatment plant, stabilizing the Gold King Mine adit, installing and assessing the Red and Bonita bulkhead, and implementing the Monitoring Plan on Cement Creek and the Animas and San Juan Rivers.

Also, EPA, along with CDPHE, also anticipates participating in stakeholder and other community meetings.

**Q14. How is the EPA measuring for potential harmful airborne dust from the accumulated remnants of the spill on the banks of Cement Creek drainage and Animas River below Cement Creek?**

A14. Inhalation exposure to dust includes both dust from soil and dust from dry sediment in addition to other sources. The contribution of dry sediment dust would be small compared with the much larger contribution from soil. Therefore, EPA does not anticipate and change in air quality associated with the GKM release.

**Q16. Has a Superfund proposal for the Forest Service Lands and Bureau of Land Management been presented? If so, has the agency responded?**

A proposal for NPL listing that includes USFS or BLM lands has not been submitted.

BLM and USFS representatives have been active participants in stakeholder and community meetings and we expect this to continue. Discussions of a potential NPL site necessarily would include these federal land managers. EPA understands both agencies have been conducting independent assessment work to understand potential environmental concerns from lands they manage and have worked cooperatively with EPA